

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANK R. PARLATO, JR.,
Defendant.

NOTICE OF MOTION

Case No.: 15-cr-149(RJA)

S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of Paul J. Cambria, Jr. the undersigned move this Court for an Order adjourning defendant's sentence currently scheduled for December 22, 2022 for reasons set forth in the affidavit annexed hereto and made a part hereof together with such other and further relief as to this Court may seem just and proper.

DATED: Buffalo, New York
December 14, 2022

Respectfully submitted,

/s/Herbert L. Greenman

PAUL J. CAMBRIA, JR., ESQ.,
Attorneys for Defendant
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TO: MICHAEL DIGIACOMO, ESQ.
CHARLES KRULY, ESQ.
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Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,
v.

AFFIDAVIT

Case No.: 15-cr-149(RJA)

FRANK R. PARLATO, JR., et al
Defendant.

STATE OF NEW YORK)
COUNTY OF ERIE)ss
CITY OF BUFFALO)

PAUL J. CAMBRIA, JR., being duly sworn, depose and say:

- 1) I am an attorney for the defendant Frank R. Parlato, Jr.
- 2) Mr. Parlato's sentence is scheduled for December 22, 2022.
- 3) We are respectfully requesting a 45-day adjournment of Mr. Parlato's sentence. Previously, counsel for Mr. Parlato filed objections to the Presentence Report. While the revised Presentence Report incorporated some of defendant's objections, other matters are still contained in the Report. As a consequence, more work needs to be done relative to defendant's sentence memorandum.
- 4) We believe that 45 days will be sufficient to complete the work necessary in order to go forward with Mr. Parlato's sentence.
- 5) We have spoken with Assistant United States Attorney Charles Kruly who has advised the government has no objection to this request.

WHEREFORE, your deponent prays that this Court issue an Order accordingly.

/s/Paul J. Cambria, Jr.

PAUL J. CAMBRIA, JR., ESQ.

Subscribed and sworn to before me this
14th day of December, 2022

/s/Elizabeth M. Jagord-Ward

Notary Public State of New York,
Qualified in Erie County
My Commission Expires October 31, 2026.